

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILIP D. WARNER,

Plaintiff,

vs.

CASE NO. 08-11573

HON. LAWRENCE P. ZATKOFF

CHASE BANK, N.A.,

Defendant.

**ORDER DENYING PLAINTIFF'S REQUEST FOR
A TEMPORARY RESTRAINING ORDER**

This matter comes before the Court on Plaintiff's Request for a Temporary Restraining Order [dkt 4]. A court is to consider the following four factors in determining whether a plaintiff is entitled to a temporary restraining order or other preliminary injunctive relief:

- (1) whether the movant has shown a strong or substantial likelihood or probability of success on the merits;
- (2) whether the movant has shown that he or she would suffer irreparable harm if the preliminary relief is not issued;
- (3) whether the issuance of a preliminary injunction will not cause substantial harm to third parties; and
- (4) whether the public interest would be served by the issuance of a preliminary injunction.

Sandison v. Mich. High Sch. Athletic Ass'n, Inc., 64 F.3d 1026, 1030 (6th Cir. 1995); *UASCO Coal Co. v. Carbomin Energy, Inc.*, 689 F.2d 94, 98 (6th Cir. 1982); *Mason County Med. Ass'n v. Knebel*, 563 F.2d 256, 261 (6th Cir. 1977).

Having thoroughly reviewed Plaintiff's Complaint, the Court finds that Plaintiff has not established a likelihood of success on the merits or what irreparable harm Plaintiff would suffer, and,

therefore, has not satisfied his burden to require this Court to grant Plaintiff's Request for a Temporary Restraining Order. Accordingly, Plaintiff's Request for a Temporary Restraining Order is DENIED.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: April 29, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on April 29, 2008.

s/Marie E. Verlinde
Case Manager
(810) 984-3290